

Rev (1945) Department

MS SERIES.

G.O. NO. 2695-

Dated 9.10.50

LIC SERVANTS - (South Kanara) - incharge service - without notice-charge without notice-pay for the period of notice claims-sub-
add.

tion: Madras.

Sri A.F. Maccaronhas, I.A.S., Secretary, Board of Revenue,
Sri W.R.S. Sattianathan, I.C.S., Commissioner of Land
Revenue, Changanassery, Madras

and Collector of South Kanara Ref. C.A. 6514/50 dt. 13-6-50.

Read the following:-

I enclose a pay bill for Ref. 497-3-0. It represents arrears of pay and allowances due to menials who were working in the Taluk Office, Karkal in 1948. These are the persons who were discharged without serving notice on them.

Several orders were received on the question of disbursement of pay and allowances to such of the persons as were discharged without notice. Meanwhile some collectors raised doubts regarding the applicability of the rules and sought for clarification. It was in B.P. Rt. 4044 dated 18-7-1949 that all the doubtful points were cleared. Thereafter the matter was taken up for investigation and it was found that 10 persons who are concerned in the pay bill (enclosed) are eligible to draw pay and B.A. as in the

Sub: Establishment - Honiata Retrenchment - Pay of peons discharged
without notice-arrear claim - sanction of.
Read: 1. Your Ref. Al. 6540/50 dt. 8-4-50.
2. Your Ref. Al. 6514/50 dt. 18-4-50.) NC

A bill for Rs. 497-3-0 being the salary and D.A. of peons who were discharged from service without notice and are eligible for pay for the period of notice as per proceedings Routine No. 4044 dated 18-7-49 of the Board of Revenue. Communicated in your F.No. 28/49 dated 29-7-48 is enclosed. The names of peons who were absorbed in service and also of those who had since left the service were reported. Please see this office report Ref. 6559/49, dated 14-4-50. The amount involved in the claim include also the pay and D.A. of Niloji and Padmanabha Ayyar who had left service.

2. Necessary particulars as required in R.P. Hto No. 61 dt. 21-1-48 are also furnished.

1. Period to which the arrear claim relates. April 1948
2. Period for which it should be investigated.
3. The amount involved in the claim. Rs. 497-3-0
4. Reasons for the delay in preferring the claim:- As per Bd's order cited above sanction of the Collector was requested as per this office Ref. 6559/49-A3, dt. 18-11-49. After considering the claims of each of the persons entitled to pay and D.A. on account of retrenchment. As the Bd's order was received in the month of August 1949 there has been no inordinate delay in presenting the claim.
5. The ground adduced for the condonation of delay:- For want of requisite sanction.
6. Whether the applicant was responsible for the delay and if so what his explanation is. It should also be stated whether he claimed or made any representations regarding the payments of arrears due to him when they accrued.
7. Period and amount for which the Collector recommends the payment of arrears:-

As they were discharged without prior notice, the three permanent peons are eligible to draw the difference of pay inclusive of D.A. which they were drawing while in service and the peon to which they were entitled to for a period of three months in lieu of notice as per B.P.4044 Rt.dt.18-7-49. Similarly the 7 temporary peons are entitled to draw one months pay and D.A. in lieu of notice. The period of claim for the first three peons is 24-4-1948 to 23-7-1948 for the other 7 peons it is 24-4-48 to 23-5-1948.

II. PERIOD FOR WHICH THE CLAIMS SHOULD BE INVESTIGATED:-

Item (1) to (3) 24-4-48 to 23-7-48 Items (4) to (10) 24-4-48 to 23-5-48.

III. THE AMOUNT INVOLVED IN THE CLAIM:-

1. B. Obaya	86- 1- 0
2. Marian Costa	86- 1- 0
3. Shaik Adam	86- 1- 0
4. Gopalakrishna	~~54~~ - 0- 0 (34-0-0)
5. Niloji	34- 0- 0
6. Hasimkhan	34- 0- 0
7. Padmanabhaya	34- 0- 0
8. Lawrence Demello	34- 0- 0
9. Muhamad Hassif	34- 0- 0
10. Muhamad Hussain	35- 0- 0

	497- 3- 0

IV. REASONS FOR THE DELAY IN PREFERRING THE CLAIM:-

Several orders were received on the question of disbursement of pay and allowances to such of the peons as were retrenched with notice. Meanwhile some Collectors raised certain doubts regarding the applicability of the rules and sought for clarification. It was in B.P.Rt.4044 dt.18-7-49, that all the doubtful points were cleared. Thereafter the matter was taken up for investigation and it was found that the 10 peons were eligible to draw pay and D.A. as shown in 3 above. The Tahsildar, Karkal made a reference on this subject on 18-11-1949 and the period from November 1949 to June 1950 was spent in arriving at the correct position regarding service break due to retrenchment etc. for the peons and there was no avoidable delay in preferring the claim.

V. GROUNDS ADDUCED FOR CONDONATION OF DELAY:-

Want of definite orders and want of requisite sanction.

VI. WHETHER THE APPLICANTS WERE RESPONSIBLE FOR THE DELAY IF SO WHAT THEIR EXPLANATION IS:-

The applicants were not responsible for the delay in preferring the claim. The certificate that the delay is not due to their negligence or carelessness is appended to the Bill.

VII. PERIOD AND AMOUNT FOR WHICH THE COLLECTOR RECOMMENDS PAYMENT ARREARS:-

Payment is recommended for the entire period mentioned in 2 and for the amount noted in item 3 above.

/True Copy/
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REFERENCE:-

Submitted to the Government.

2. The Board requests that the Government may be pleased to authorise the Accountant-General to investigate the arrear claim and to sanction the payment of the arrear amounts found due to the claimants in full as they are not responsible for the delay.

✓ To The Secretary, Revenue Department, with bill etc. For Secretary.

19 NOV 1949

COONDAPUR

To The Collector of South Kanara
Through the Revenue
COONDAPUR.

Si

From
Janab V. Ramlan,
Muzildar, Karkal.
SOUTH KANARA
COLLECTOR'S OFFICE
5-DEC-49

5-DEC-49

Sir,

No.

ESTABLISHMENT- Menials- retrenchment- pay during the period of notice 3 months' salary and one month's salary-report submitted.

- Ref:- (1) G.O.No 326 Finance dated 5-4-1948.
(2) Your F.No 28/49, dated 27-7-1949.

In B.P. No 4044 Routine dated 18-7-1949 communicated with you order second cited above, it has been ordered that the permanent peons who were under extension of service after attaining the age of superannuation and who were discharged without a notice are eligible to draw the difference of pay inclusive of dearness allowance which they were drawing while in service and the pension to which they are now entitled to and that similarly those of temporary and officiating peons who were retrenched without a notice as per G.O.cited above are entitled to one month's pay inclusive of dearness allowance provided their sanction would otherwise have extended beyond the notice period. All these peons were retrenched with effect from 24-4-1948 without notice. The temporary peons would have continued in service beyond the notice period had they not been discharged as per G.O.cited 1st above. The particulars showing the names of these peons and the pay etc to which they are entitled to, are furnished below:-

Monthly salary	Pension now drawn.	Difference of salary.	Total.
Pay D.A. Pay	D.A.	Pay D.A.	Rs
4/4 19/-	10-5-0 + 4/-	13-11-0 15/-	Rs 28-11-0 ✓
4/4 19/-	10-5-0 + 4/-	13-11-0 15/-	Rs 28-11-0 ✓
4/4 19/-	10-5-0 + 4/-	13-11-0 15/-	Rs 28-11-0 ✓
total			Rs 86-1-0 ✓
for three months			Rs 86-1-0 x 3
			Rs 258-3-0 ✓
hna 16+18/-			Rs 34-0-0 ✓
16+18/-			Rs 34-0-0 ✓
16+18/-			Rs 34-0-0 ✓
rya 16+18/-			Rs 34-0-0 ✓
ac lol 16+18/-			Rs 34-0-0 ✓
nif 16+18/-			Rs 34-0-0 ✓
iscain 16+18/-			Rs 34-0-0 ✓
Total			Rs 259-0-0 ✓
Grand total			Rs 497-3-0 ✓

Total cost of account of pay and dearness allowance etc. comes to Rs 497-3-0. I request sanction for drawal and payment of this amount to the respective peons who were discharged from service without notice as per retrenchment order in G.O.No 326 Dated 5-4-1948. Judama one of the approved probationer peons was also ousted on the afternoon of 25-4-1948 without notice, but he was re-accepted with effect from 1-5-48. As he was re-accepted within one month of the date of retrenchment, I think, sanction of one month's pay to him is not proper. I solicit instructions whether he may be paid proportionate pay and D.A. for the period from 24-4-1948 to 30-4-1948.

J. T. ...

G.S.

Rev. Depn.

Read: From the Bd & Rev. Ref. N. 5359/50-2 D/8.9.30
G.O No. 2695 D. 9-10-50

16/10/50

Pd 500 M m/300

The A.C is authorized to investigate the claim for arrears & pay due to B. G. Ganga, Marian Costa, and Sheikh Adam, Expenses Taluk Office, Karkal, South Kanara Dt for the period from 24.4.48 to 23.7.48 and ~~for the period from 24.4.48 to 23.5.48~~ in respect of ~~the expenses~~ Gopala Krishna, N. L. L. J., Hasu Padmanabhaiah, Lawrence Somolke, Muhamad Hussain and Muhammad Hussain for the period from 24.4.48 to 23.5.48

p28136 34

2. With ref. to Ex. 515 & the M.F.C. Vol?

The expenses mentioned in para 1 above ~~to full~~ should be paid the arrears amount found due, full, since they were not responsible for the delay in ~~making~~ making the arrears.

M. P. D. 14/10/50

To

The Bd/Rev. (with ref. to) A.C. Karkal

En 27/9/50

N. R.

Pin No for acceptance.

Fin

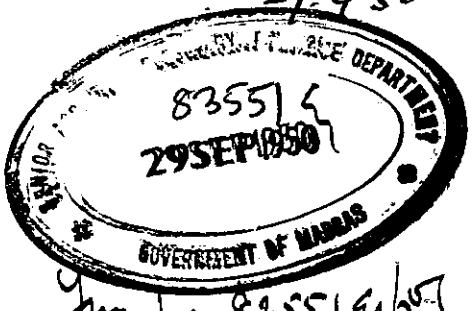
27.9.50

En 27/9/50

Rev. No 66409 G/50.1

Fin (L II)

May be accepted.



29.9.50

En 30/9/50 Rev

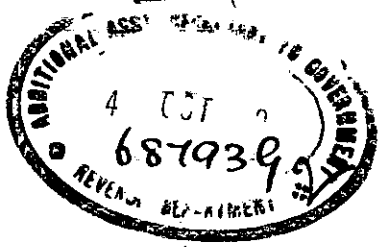
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TO A.S.

R.D.

The draft order above accept

Fin may now issue.



En 6.10.50

En 9/10/50